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*Class Counsel*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Joseph J. Smith, *on behalf of  
himself and all others similarly  
situated,*

Plaintiff,

v.

One Nevada Credit Union,

Defendant.

Case No.: 2:16-cv-02156-GMN-NJK

**DECLARATION OF DAVID H.  
KRIEGER IN SUPPORT OF MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Hearing: March 5, 2019

Time: 11:00 am

Courtroom: 7D

Chief Judge Gloria M. Navarro

**DECLARATION OF DAVID H. KRIEGER**

I, David H. Krieger, declare:

1. I am a resident of Clark County, Nevada, and a partner in the law firm of Haines &

1 Krieger, LLC, counsel for the Plaintiff in this matter.

2 2. I am writing this declaration in support of the Motion for Final Approval of Class  
3 Action Settlement in this case.

4 3. I am competent to testify to the facts stated herein, which are based on personal  
5 knowledge unless otherwise indicated, and if called upon to testify, I could and would  
6 testify competently to the following.

7 4. I am a managing member of Haines & Krieger, LLC (“Haines & Krieger”). I have  
8 been licensed to practice law in Nevada since 2005. I have been licensed to practice  
9 law in New Jersey since 2002.

10 **RISKS OF CONTINUED LITIGATION**

11 5. The named Plaintiff and his counsel believe that the claims asserted in the actions  
12 have merit.

13 6. Taking into account the burdens, uncertainty and risks inherent in this litigation,  
14 Plaintiff’s counsel have concluded that further prosecution of this action through trial  
15 would be protracted, burdensome, and expensive, and that it is desirable, fair, and  
16 beneficial to the settlement class that the action now be fully and finally  
17 compromised, settled and terminated in the manner and upon the terms and conditions  
18 set forth in the Settlement Agreement.

19 **CLAIMS PROCESS**

20 7. Class Members were provided 90 days to make a claim for a settlement payment.

21 8. The procedure for submitting a claim was made as easy as possible: a claim form  
22 could be submitted online through the settlement website or by US Mail.

23 9. I was informed by the Claims Administrator, KCC, that there were 12,213 timely  
24 claims, four requests for exclusion and no objections.

25 10. I am also unaware of any objections from any Attorneys General.

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1 I declare under penalty of perjury that the foregoing is true and correct.

2 EXECUTED this 5th day of February 2019.

3 By: /s/ David H. Krieger

4 David H. Krieger